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5 **BEFORE THE**
6 **BOARD OF REGISTERED NURSING**
7 **DEPARTMENT OF CONSUMER AFFAIRS**
8 **STATE OF CALIFORNIA**

9 In the Matter of the Accusation Against:

Case No. 2011-295

10 **LORI ANN PARSONS**
11 **6765 Tulip Falls Drive, Apt 1109**
12 **Henderson, NV 89011**

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

13 **Registered Nurse License No. RN 679258**

14
15 Respondent.

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18 **FINDINGS OF FACT**

19 1. On or about October 5, 2010, Complainant Louise R. Bailey, M.Ed., RN, in her
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
21 of Consumer Affairs, filed Accusation No. 2011-295 against Lori Ann Parsons (Respondent)
22 before the Board of Registered Nursing. (Accusation attached as Exhibit A.)

23 2. On or about May 12, 2006, the Board of Registered Nursing (Board) issued
24 Registered Nurse License No. RN 679258 to Respondent. The Registered Nurse License expired
25 on March 31, 2010, and has not been renewed.

26 3. On or about October 5, 2010, Respondent was served by Certified and First Class
27 Mail copies of the Accusation No. 2011-295, Statement to Respondent, Notice of Defense,
28 Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,

1 and 11507.7) at Respondent's address of record which, pursuant to Business and Professions
2 Code section 136 and/or agency specific statute or regulation, is required to be reported and
3 maintained with the Board, which was and is:

4 6765 Tulip Falls Drive, Apt 1109
5 Henderson, NV 89011.

6 4. Service of the Accusation was effective as a matter of law under the provisions of
7 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
8 124.

9 5. As of November 10, 2010, the aforementioned documents have not been returned by
10 the U.S. Postal Service and are deemed to have been received.

11 6. Government Code section 11506 states, in pertinent part:

12 (c) The respondent shall be entitled to a hearing on the merits if the respondent
13 files a notice of defense, and the notice shall be deemed a specific denial of all parts
14 of the accusation not expressly admitted. Failure to file a notice of defense shall
15 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
16 may nevertheless grant a hearing.

17 7. Respondent failed to file a Notice of Defense within 15 days after service upon her of
18 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 2011-
19 295.

20 8. California Government Code section 11520 states, in pertinent part:

21 (a) If the respondent either fails to file a notice of defense or to appear at the
22 hearing, the agency may take action based upon the respondent's express admissions
23 or upon other evidence and affidavits may be used as evidence without any notice to
24 respondent.

25 9. Pursuant to its authority under Government Code section 11520, the Board finds
26 Respondent is in default. The Board will take action without further hearing and, based on the
27 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
28 taking official notice of all the investigatory reports, exhibits and statements contained therein on
file at the Board's offices regarding the allegations contained in Accusation No. 2011-295, finds
that the charges and allegations in Accusation No. 2011-295, are separately and severally, found
to be true and correct by clear and convincing evidence.

1 10. Taking official notice of its own internal records, pursuant to Business and
2 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation
3 and Enforcement is \$127.50 as of November 5, 2010.

4 **DETERMINATION OF ISSUES**

5 1. Based on the foregoing findings of fact, Respondent Lori Ann Parsons has subjected
6 her Registered Nurse License No. RN 679258 to discipline.

7 2. The agency has jurisdiction to adjudicate this case by default.

8 3. The Board of Registered Nursing is authorized to revoke Respondent's Registered
9 Nurse License based upon the following violations alleged in the Accusation which are supported
10 by the evidence contained in the Default Decision Investigatory Evidence Packet in this case.:

11 a. Respondent has violated Business and Professions Code section 2761, subdivision
12 (a)(4) as follows: Effective March 4, 2010, pursuant to the Arizona State Board of Nursing's
13 Order in a disciplinary proceeding titled *In the Matter of the Privilege to Practice Nursing Under*
14 *the Nurse Licensure Compact in the State of Arizona Issued to: Lori Ann Parsons; aka Lori Ann*
15 *Bradley, Respondent, Nurse License No. R180221, State of Maryland*, Respondent voluntarily
16 surrendered the privilege to practice nursing in Arizona under the multi-state license number
17 R180221, issued by the State of Maryland. The Order was based on numerous Findings of Fact,
18 including the following: 1) Respondent diverted narcotics for self-use while working in
19 Maryland, Nevada, Arizona, and California; and 2) Respondent diverted controlled substances for
20 her own personal use for approximately three years.

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ORDER

IT IS SO ORDERED that Registered Nurse License No. RN 679258, heretofore issued to Respondent Lori Ann Parsons, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on January 28, 2011.

It is so ORDERED December 28, 2010

Jeannine K. Paves
FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

default decision_LIC.rtf
DOJ Matter ID:SA2010101027

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

1 EDMUND G. BROWN JR.
Attorney General of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
3 JANICE K. LACHMAN
Supervising Deputy Attorney General
4 State Bar No. 186131
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 445-7384
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2011-295**

13 **LORI ANN PARSONS**
6765 Tulip Falls Drive, Apt. #1109
14 Henderson, NV 89011

ACCUSATION

15 **Registered Nurse License No. RN 679258**

16 Respondent.

17
18 Louise R. Bailey, M.Ed., RN (Complainant) alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Interim
21 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
22 Affairs.

23 2. On or about May 12, 2006, the Board issued Registered Nurse License Number
24 679258 to Lori Ann Parsons ("Respondent"). The license was in full force and effect at all times
25 relevant to the charges brought herein. The license expired on March 10, 2010, and has not been
26 renewed.

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JURISDICTION

3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811(b), the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY PROVISIONS

5. Code section 2761 states, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for the following:

(a) Unprofessional conduct.

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action."

COST RECOVERY

6. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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1 FIRST CAUSE FOR DISCIPLINE

2 (Out-of-State Discipline)

3 7. Respondent is subject to discipline under Code section 2761(a)(4), in that effective
4 March 4, 2010, pursuant to an Order issued by the Arizona State Board of Nursing, in a
5 disciplinary proceeding titled *In the Matter of the Privilege to Practice Nursing Under the Nurse*
6 *Licensure Compact in the State of Arizona Issued to: Lori Ann Parsons; aka Lori Ann Bradley,*
7 *Respondent, Nurse License No. R180221, State of Maryland,* Respondent voluntarily surrendered
8 the privilege to practice nursing in Arizona under the multi-state license number R180221, issued
9 by the State of Maryland. The Order was based on numerous Findings of Fact, including the
10 following: 1) Respondent diverted narcotics for self-use while working in Maryland, Nevada,
11 Arizona, and California; and 2) Respondent diverted controlled substances for her own personal
12 use for approximately three years. The Order is attached hereto as **Exhibit A**, and is incorporated
13 herein by reference.

14 PRAYER

15 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
16 and that following the hearing, the Board of Registered Nursing issue a decision:

- 17 1. Revoking or suspending Registered Nurse License Number 679258, issued to Lori
18 Ann Parsons;
- 19 2. Ordering Lori Ann Parsons to pay the Board of Registered Nursing the reasonable
20 costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,
- 21 3. Taking such other and further action as deemed necessary and proper.

22 DATED: 10/5/10

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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EXHIBIT A

Exhibit A

EXHIBIT A

ARIZONA STATE BOARD OF NURSING
4747 North 7th Street, Suite 200
Phoenix, Arizona 85014-3655
602-771-7800

IN THE MATTER OF THE PRIVILEGE TO
PRACTICE NURSING UNDER THE NURSE
LICENSURE COMPACT IN THE STATE OF
ARIZONA ISSUED TO:

LORI ANN PARSONS; AKA LORI ANN
BRADLEY PARSONS; LORI ANN BRADLEY
RESPONDENT
NURSE LICENSE NO.: R180221
STATE OF: MARYLAND

CONSENT TO VOLUNTARY

SURRENDER MULTISTATE
LICENSURE PRIVILEGE
IN ARIZONA AND

CEASE AND DESIST
ORDER NO. 1001053

A complaint charging LORI ANN PARSONS, AKA LORI ANN BRADLEY PARSONS, LORI ANN BRADLEY, ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. §32-1663(D)(5), Respondent voluntarily surrenders her license privilege to practice under any multistate licensure in the state of Arizona and agrees to cease and desist the practice of nursing in Arizona.

Based on the evidence before it, the Board makes the following Findings of Fact, Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds registered nurse licensure, with multistate licensure privileges ("Privilege") under the Nurse Licensure Compact ("Compact"), issued by Maryland, a Compact State.
2. On or about January 13, 2010, the Board received a complaint alleging that from in or about December 2009, to on or about January 9, 2010, while employed as a travel nurse from Millenia Medical Staffing, St. Daniel Island, South Carolina and assigned to Lake Havasu Regional Medical

Center (LHRMC), Respondent diverted narcotics for self-use, and also appeared impaired while on duty on or about January 9, 2010. LHRMC terminated Respondent's travel contract on January 9, 2010.

3. On or about February 2, 2010, Board staff spoke with a Maryland Board nurse investigator, who confirmed that Respondent's Maryland nursing license was under investigation for a 2008 complaint also alleging that she diverted controlled substances while assigned to Edward W. McCready Memorial Hospital, in Crisfield, MD and employed by On Assignment Travel, Inc., Blue Ash, Ohio.

4. On or about February 2, 2010, Board staff spoke with the Nevada State Board of Nursing Director of Operations, who confirmed that Respondent's Nevada nursing license was under investigation for a 2008 complaint alleging that she diverted controlled substances while working in Nevada.

5. On or about February 5, 2010, Board staff interviewed LHRMC's Chief Nursing Officer (CNO) and the night shift nursing supervisor who conducted the hospital's investigation of Respondent's nursing practice related to her withdrawal, administration and documentation of controlled substances. The hospital reviewed Respondent's Acudose profile from December 27, 2009, to January 10, 2010, for her removal of controlled substances and determined that she had numerous discrepancies and had the highest number of instances where she removed controlled substances without a written order.

6. Board staff's review of Respondent's LHRMC's Acudose narcotic removal profile revealed that she failed to meet required safety elements required in order for a registered nurse to comply with the minimal standards of care in handling controlled substances, which are:

- a. Verification of a valid order for the controlled substance for the patient;
- b. Removal of the proper amount of the controlled substance, for the correct patient, at the correct time, and at the correct frequency; and

- c. Consistently documenting according to the hospital's policy and procedure and consistently perform a pain assessment before and after the administration of the controlled substance; and
- d. Properly disposing of used controlled substances in the presence of another licensed nurse.

7. On or about February 25, 2010, the Board received notification from the Maryland Board of Nursing, alleging that a second complaint was filed against Respondent after she admitted that she diverted Dilaudid from Eisenhower Medical Center, Rancho Mirage, CA, from on or about February 12, 2010 to on or about February 16, 2010, while she was employed as a travel nurse with Medstaff Healthcare Solutions Inc. (MHS), Newtown Square, PA.

8. On or about March 2, 2010, during an interview with Board staff, Respondent acknowledged that she had a substance abuse problem and diverted controlled substances for her personal use for approximately three years. Respondent told Board staff that she suffered from chronic muscle and joint pain and gastrointestinal problems. Respondent asserted that she has not used any illegally obtained opioids since on or about February 18, 2010, and acknowledged suffering from opioid withdrawal for approximately five to seven days after her last injection of Dilaudid.

9. On or about March 2, 2010, during an interview with Board staff, Respondent acknowledged that she had requested to voluntarily surrender her Maryland nursing license. Respondent also requested to voluntarily surrender her multi-state nursing privilege in Arizona.

CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663, 32-1664, 32-1668 and 32-1669, the Board has subject matter and personal jurisdiction in this matter.

After notice and opportunity for hearing, the Board may revoke, suspend or take other disciplinary action against Respondent's privilege to practice as a nurse in the State of Arizona

concerning Respondent's actions as described herein pursuant to A.R.S. §§ 32-1663(D)(5), 32-1664(N) and 32-1669. This Consent Order is in lieu of an administrative hearing.

If this matter proceeded to an administrative hearing, the Board would introduce evidence it contends would show Respondent's conduct as described herein constitutes violations of A.R.S. § 32-1663(E) as defined in A.R.S. § 32-1601(18) (effective October 14, 2009) as follows:

- (d) Any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public.
- (g) Willfully or repeatedly violating a provision of this chapter or a rule adopted pursuant to this chapter.
- (h) Committing an act that deceives, defrauds or harms the public.
- (j) Violating a rule that is adopted by the board pursuant to this chapter.

And A.A.C. R4-19-403 (effective February 2, 2009) as follows:

- (1) A pattern of failure to maintain minimum standards of acceptable and prevailing nursing practice;
- (7) Failing to maintain for a patient record that accurately reflects the nursing assessment, care, treatment, and other nursing services provided to the patient;
- (8) Falsifying or making a materially incorrect, inconsistent, or unintelligible entry in any record:
 - a. Regarding a patient, health care facility, school, institution, or other work place location; or
 - b. Pertaining to obtaining, possessing, or administering any controlled substance as defined in the federal Uniform Controlled Substances Act, 21 U.S.C. 801 et seq., or Arizona's Uniform Controlled Substances Act, A.R.S. Title 36, Chapter 27;
- (9) Failing to take appropriate action to safeguard a patient's welfare or follow policies and procedures of the nurse's employer designed to safeguard the patient;
- (16) Removing, without authorization, a narcotic, drug, controlled substance, supply, equipment, or medical record from any health care facility, school, institution, or other work place location;
- (17) A pattern of using or being under the influence of alcohol, drugs, or a similar substance to the extent that judgment may be impaired and nursing practice detrimentally affected, or while on duty in any health care facility, school, institution, or other work location;
- (18) Obtaining, possessing, administering, or using any narcotic, controlled substance, or illegal drug in violation of any federal or state criminal law, or in violation of the policy of any health care facility, school, institution, or other work location at which the nurse practices;
- (25) Failing to:
 - a. Furnish in writing a full and complete explanation of a matter reported pursuant to A.R.S. § 32-1664, or
- (31) Practicing in any other manner that gives the Board reasonable cause to believe the health of a patient or the public may be harmed.

In lieu of a formal hearing on these issues, Respondent admits the Board's Findings of Fact, Conclusions of Law, and agrees to issuance of the attached Order.

~~Respondent understands that she has an opportunity to request a hearing and declines to do so.~~
~~Respondent agrees to issuance of the attached Order and waives all rights to a hearing, rehearing, appeal, or judicial review relating to this Order.~~

Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

Respondent understands that the admissions in the Findings of Fact are conclusive evidence of a violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

Respondent understands the right to consult legal counsel prior to entering into the Consent Agreement and such consultation has either been obtained or is waived.

Respondent understands that this voluntary surrender is effective upon its acceptance by the Executive Director or the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by Respondent, the agreement cannot be withdrawn without the Executive Director or the Board's approval or by stipulation between Respondent and the Executive Director or the Board. The effective date of this Order is the date the Voluntary Surrender is signed by the Executive Director or the Board and by Respondent. If the Voluntary Surrender is signed on a different date, the later date is the effective date.

Respondent understands that Voluntary Surrender constitutes disciplinary action. Respondent also understands that she may not reapply for re-issuance during the period of Voluntary Surrender.

Respondent agrees that she may apply for re-issuance after the period of voluntary surrender under the following conditions, and must comply with current law at the time of their application for re-issuance:

The application for re-issuance must be in writing and shall contain therein or have attached

The application for re-issuance must be in writing and shall contain therein or have attached thereto substantial evidence that the basis for the voluntary surrender has been removed and that the re-issuance of the license does not constitute a threat to the public's health, safety and welfare. The Board may require physical, psychological, or psychiatric evaluations, reports and affidavits regarding Respondent as it deems necessary. These conditions shall be met before the application for re-issuance is considered.

Joey Parsons
Respondent

Date: 3/4/2010

ARIZONA STATE BOARD OF NURSING

SEAL

Joey Ridenour
Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Dated: 3/4/10

RAPPOPORT/RL181221 (Maryland)

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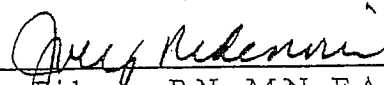
ORDER

Pursuant to A.R.S. § 32-1663(D)(5) the Board hereby accepts the Voluntary Surrender the privilege to practice nursing in Arizona under the multi-state license number R180221 issued by the State of Maryland. This Order of Voluntary Surrender hereby entered shall be filed with the Board and shall be made public upon the effective date of this Consent Agreement. Respondent shall not practice in Arizona under the privilege of a multistate license issued by any other state.

IT IS FURTHER ORDERED that Respondent may apply for re-issuance of said privilege after a period of five years.

SEAL

ARIZONA STATE BOARD OF NURSING

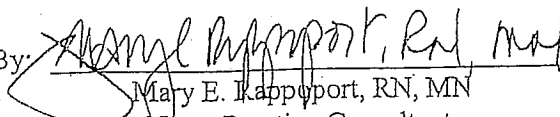

Joey Kidenour, R.N., M.N., F.A.A.N.
Executive Director

Dated: 3/4/10

JR/mer

COPY sent via electronic mail this 2nd day of March, 2010, by to:
ltravparsons1@aol.com

LORI ANN PARSONS
P.O. BOX 451
NOTTINGHAM, PA 19362

By: 
Mary E. Kappoport, RN, MN
Nurse Practice Consultant